

## **REMARKS**

The final Office Action dated April 11, 2007 has been carefully considered. Claims 1-4, 11 and 12 were pending in the present application. Upon entry of this amendment, claims 1-3, 11, 12, and 45-48 will be pending. Claim 4 has been cancelled without prejudice. Claim 1 has been amended to more particularly point out a certain embodiment of the present invention. New claims 45-48 have been added and find support in the originally-filed specification at, for example, original claims 1-3, 11, and 12. No new matter has been added.

Reconsideration and allowance of the present application in view of the above amendments and following remarks are respectfully requested.

### **I. CLAIM REJECTION UNDER 35 U.S.C. § 102(e)**

Claims 1-3 and 12 have been rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,981,985 to Brown *et al.* ("Brown").

For the reasons discussed in the Response filed July 25, 2006, Applicants respectfully disagree and submit that Brown does not disclose or suggest the medical device recited in claim 1. However, in order to expedite prosecution, Applicants have amended claim 1 to include the subject matter of claim 4, which the Examiner indicated was allowable if rewritten in independent form. Thus, claim 1 is believed to be patentable over Brown. Claims 2, 3, and 12 depend from claim 1 and, thus, also include all the recitations of claim 1. Therefore, claims 2, 3, and 12 are also believed to be patentable over Brown.

Accordingly, withdrawal of this rejection and allowance of claims 1-3 and 12 are respectfully requested.

### **II. ALLOWABLE SUBJECT MATTER**

Claims 4 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. Although Applicants disagree, claim 4 has been cancelled and incorporated into base claim 1, and claim 11 has been rewritten as independent claim 45. Accordingly, this objection has been obviated and Applicants respectfully request withdrawal of this objection and allowance of claims 4 and 11.

New claims 46-48 depend from claim 45 and, thus, include the recitations of claim 45. Accordingly, claims 46-48 are believed to be patentable over the reference cited herein and should also be allowed.

### III. CONCLUSION

As the claim rejection and claim objection have been overcome, all claims are believed to be in condition for allowance. An early notice to that effect would be appreciated. Should the Examiner not agree with the Applicants' position, then a personal or telephonic interview is respectfully requested to discuss any remaining issues and expedite the eventual allowance of the application.

Respectfully submitted,

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